

# CITY OF BURLINGTON

6.01

ORDINANCE  
Sponsor: Councilors Shannon, Tracy,  
Bushor, Dober: Special Ordinance Com.  
Public Hearing Dates 11/26/12

In the Year Two Thousand Twelve

## An Ordinance in Relation to

### COMPREHENSIVE DEVELOPMENT ORDINANCE

Amendments related to Residential Occupancy Limits in the RH District  
ZA #13-01

First reading: 05/07/12  
Referred to: Planning Commission  
Rules suspended and placed in all  
stages of passage:  
Second reading 09/10/12  
Action: adopted  
Date: 11/26/12  
Signed by Mayor: 11/30/12  
Published: 12/05/12  
Effective: 12/26/12

It is hereby Ordained by the City Council of the City of Burlington, as follows:

That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Section 4.4.5(d)(5)(C) thereof to read as follows:

#### Sec. 4.4.5. - Residential districts.

(a) through (c) As written.

(d) *District Specific Regulations*: The following regulations are district-specific exceptions, bonuses, and standards unique to the residential districts. They are in addition to, or may modify, city-wide standards as provided in Article 5 of this ordinance and district standards as provided above.

1. through 4. As written.

#### 5. Residential Density

A. As written.

B. As written.

#### C. Residential Occupancy Limits.

In all residential districts ~~except the RH district~~, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13. Notwithstanding the following, the minimum square footage requirements shall be reduced by ten (10%) percent in situations where the residential premises are owner occupied.

Subject to Conditional Use approval by the DRB, a dwelling unit may be occupied by more than four (4) unrelated adults if it contains at least twenty-five hundred (2,500) square feet excluding its attic and basement pursuant to the following:

(i) If in a RL district, the dwelling unit also contains at least an additional two hundred fifty (250) square feet and one (1) additional parking space per adult occupant in excess of four (4); or

AN ORDINANCE  
IN RELATION TO

Introduced by

Councilor \_\_\_\_\_

Read in City Council first time

\_\_\_\_\_, 20 \_\_\_\_.

Attest,

\_\_\_\_\_, Clerk.

Rules suspended, and ordinance placed in all stages of passage.

\_\_\_\_\_, 20 \_\_\_\_.

Attest,

\_\_\_\_\_, Clerk.

Read in City Council second time

\_\_\_\_\_, 20 \_\_\_\_.

Attest,

\_\_\_\_\_, Clerk.

Passed in City Council at meeting held

\_\_\_\_\_, 20 \_\_\_\_.

Attest,

\_\_\_\_\_, Clerk.

Approved \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_, Mayor.

I, \_\_\_\_\_, City Clerk of the City of Burlington and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has been duly published according to Law and the Charter of the City, and in compliance with said Charter this certificate is hereto attached.

And the within Ordinance was ordered published for \_\_\_\_\_ day, namely the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Adopted \_\_\_\_\_ Published \_\_\_\_\_ Effective \_\_\_\_\_  
\_\_\_\_\_, City Clerk

\* \* \* \* \*

Distribution

I hereby certify that this Ordinance has been sent to the following department(s) on

Attest:

\* \* \* \* \*

An Ordinance in Relation to COMPREHENSIVE DEVELOPMENT ORDINANCE  
ZA #13-01 Amendments related to Residential Occupancy Limits  
in the RH District

- (ii) If in a RM district, the dwelling unit also contains at least an additional two hundred (200) square feet and one (1) additional parking space per adult occupant in excess of four (4).

- (iii) If in a RH district, the dwelling unit also contains at least an additional 150 square feet and 1 additional parking space per adult occupant in excess of four (4).

6. **Uses.** As written.
7. **Residential Development Bonuses.** As written.

- \* Material stricken out deleted.  
\*\* Material underlined added.

# AN ORDINANCE

## IN RELATION TO

COMPREHENSIVE DEVELOPMENT ORDINANCE  
Amendments related to Residential Occupancy Limits  
in the RH District ZA #13-01

Introduced by

Councilor / Special Ordinance Committee

Read in City Council first time

May 7, 2012

Attest,

Clerk

Rules suspended, and ordinance placed in all stages of passage.

, 2012

Attest,

Clerk

Read in City Council second time

September 10, 2012

Attest,

Clerk

Passed in City Council at meeting held

November 26, 2012

Attest,

Clerk

Approved November 30

, 2012

Mayor

I, ACAO Goodwin, City Clerk of the City of Burlington and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has been duly published according to Law and the Charter of the City, and in compliance with said Charter this certificate is hereto attached.

And the within Ordinance was ordered published for Wednesday day, namely the 5th day of December, 20 12.

Adopted 11/26/12 Published 12/05/12 Effective 12/26/12

ACAO, City Clerk

\* \* \* \* \*

### Distribution

I hereby certify that this Ordinance has been sent to the following department(s) on

P & Z Director White  
City Attorney's Office, Gene Bergman

Attest:

Lori Olberg  
Licensing, Voting & records Coordinator

\* \* \* \* \*